

CLASSIFICATION OFFICE DECISION

Title of publication: Christchurch Mosque Attack Livestream

Other known title(s): Not stated

OFLC ref: 1900148.000

Medium: Video File

Creator: Not stated

Country of origin: Aotearoa New Zealand

Language: English

Applicant: Chief Censor

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 27 March 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 18 March 2019

	Components	Running time
Feature(s):	Christchurch Mosque Attack Livestream	16:55
Total running time:		16:55

Summary of reasons for decision:

The Chief Censor called in this video file for classification on 17 March 2019 under s 13(3) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The Chief Censor, Deputy Chief Censor and a Senior Classification Advisor have examined the video in its entirety and concluded that the Christchurch Mosque Shooting video is objectionable. In coming to this view, each drew on their experience in classifying publications of this type, including video recordings of real-life violence, war atrocities and terrorist promotional publications previously submitted to the Office. The video is deemed objectionable under s 3(2)(f) of the FVPC Act because it promotes and supports extreme violence and cruelty. Even if it were not deemed objectionable under that section, it would be objectionable under s 3(3)(d) of the FVPC Act due to the extent and degree to which, and the

manner in which it promotes and encourages acts of terrorism. Matters taken into consideration under s 3(4) (including the dominant effect of the publication, the intended audience, the purpose for which the publication is intended to be used and other relevant circumstances) also support this decision. In making this decision, the right to freedom of expression, that is to seek, receive, and impart information and opinions protected under s 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) was considered, together with the fact that under s 5 of the NZBORA this freedom is subject “only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society”. An objectionable classification for this video is considered to be a demonstrably justified limit on that freedom in this case due to the high likelihood of injury to the public good from the video’s continued availability.